

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ERIC FLORES,

Plaintiff,

v.

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, U.S.  
DEPARTMENT OF JUSTICE,

Defendants.

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**CIVIL ACTION NO. 5:21-CV-00037-RWS**

**ORDER**

Plaintiff Eric Flores, an inmate proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge.

Plaintiff alleges that the coronavirus pandemic began when foreign immigrants came into the United States under the jurisdiction of the international police agency in London in order to infect the public with diseases such as AIDS, syphilis, herpes, coronavirus, bird flu, and swine flu. He contends the only cure for coronavirus is “artificial insemination [sic] of the entire human body [with] crystal clear purified mineral clean water” and asks the Court to order the public to obtain such “artificial insemination.” The Magistrate Judge properly determined these allegations lacked an arguable basis in law or fact and should be dismissed as frivolous. Docket No. 4 (“Report and Recommendation”); *see Neitzke v. Williams*, 490 U.S. 319, 325–27 (1989).

The Magistrate Judge further noted this filing is one of a lengthy series of frivolous filings from the Plaintiff Eric Flores. He has accumulated three strikes within the meaning of 28 U.S.C.

§ 1915(g) and therefore cannot proceed *in forma pauperis* absent a showing of imminent danger of serious physical injury. In addition, Plaintiff has been sanctioned a total of \$300.00 by the Fifth Circuit Court of Appeals in two separate cases and barred from further filing absent leave of court until he pays the sanctions in full.

Plaintiff has not satisfied these sanctions and has ignored multiple warnings. He filed several lawsuits between September of 2020 and March of 2021, each raising similarly frivolous and nonsensical allegations.

Plaintiff received a copy of the Magistrate Judge's Report and Recommendation on April 19, 2021, but no objections have been received. Because Plaintiff did not file objections to the Magistrate Judge's Report, he is barred from appealing the factual findings and legal conclusions of the Magistrate Judge which are accepted and adopted by the district court except upon grounds of plain error. *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

**ORDERED** that the Report and Recommendation of the Magistrate Judge (Docket No. 4) is **ADOPTED** as the opinion of the District Court. It is further

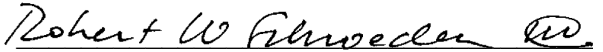
**ORDERED** that the above-styled civil action is **DISMISSED WITH PREJUDICE** as frivolous. It is further

**ORDERED** that the Court shall accept no further lawsuits from the Plaintiff Eric Flores, TDCJ-CID No. 02051801, unless such lawsuit is filed by a licensed attorney enrolled to practice in

the Eastern District of Texas and upon payment of the full filing fee at the initiation of the case. Any new lawsuit received from the Plaintiff which does not meet both of these conditions shall be returned by the Clerk of Court or discarded, at the sole discretion of the Clerk. It is further

**ORDERED** that a copy of this Order shall be sent to the Administrator of the Sanctions List for the Eastern District of Texas.

**So ORDERED and SIGNED this 11th day of June, 2021.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE